

the combined local leak rate test results. This request was needed after the MSIV leakage rate was increased by the issuance of Amendment No. 132 on March 17, 1994. In addition, the Commission is granting another exemption from the requirements of Section III.C.2(a) to account for a previously granted exemption, stated in the Hatch Unit 2 Technical Specifications (TS), which allows the leak rate testing at a reduced pressure.

The licensee's June 20, 1995, request stated that a plant-specific radiological analysis of a postulated design-basis loss-of-coolant accident (LOCA) has been performed, and is documented in Section 15.1.39 of the Hatch Unit 2 Final Safety Analysis Report (FSAR). The radiological analysis calculated the effect of the maximum leakage rate from the containment volume in terms of onsite and offsite doses, which were evaluated against the dose limits of 10 CFR 50, Appendix A, General Design Criterion (GDC) 19 and 10 CFR Part 100, respectively. The analysis accounted for the radiological effect from MSIV increased leakage and other containment leakages following a postulated LOCA in terms of the doses that could be received by personnel in the technical support center (TSC), the main control room (MCR), and at the site boundary. The analysis results demonstrated that the dose from all the leakage, including the MSIV leakage rate limit of 100 standard cubic feet per hour (scfh) per MSIV not to exceed 250 scfh for all four main steam lines, results in an acceptable value when evaluated against the regulatory limits for the off-site doses, TSC and MCR doses contained in 10 CFR Part 100, and 10 CFR Part 50, Appendix A, GDC-19, respectively.

The staff concluded that the exemption requested is acceptable based on: the method of MSIV testing (i.e., 28.8 psig test pressure when applied between MSIVs on a single steam line); a radiological analysis that assumes a 100 scfh per MSIV leak rate not to exceed 250 scfh for all four steam lines; and the requirement that the MSIVs would be periodically tested to ensure the validity of the radiological analysis (i.e., verify that the MSIV leakage rate during testing is accounted for separately in the radiological analysis of the site).

For the reasons set forth above, the NRC staff concludes that there is reasonable assurance that: the current MSIV leak testing method (i.e., test pressure of 28.8 psig when applied between MSIVs) is an acceptable method; and the calculated doses obtained by performing radiological

analysis (calculated using an MSIV leakage rate limit of 100 scfh per MSIV, not to exceed 250 scfh for all four main steam lines), are within the limits of 10 CFR Part 100 and GDC-19. The staff finds it acceptable to continue to exclude the measured MSIV leakage rate from the combined leak rate test results, since the leakage is accounted for separately and continues to meet the underlying purpose of the rule. Therefore, the staff finds that the requested exemption presented in the licensee's June 20, 1995, submittal is acceptable.

### III.

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health and safety, and are consistent with the common defense and security; and (2) when special circumstances are present. Special circumstances are present whenever, according to 10 CFR 50.12(a)(2)(ii), "Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule."

The underlying purpose of the rule is to assure that leakage through systems and components penetrating the primary containment should not exceed allowable leakage rates, so that the dose due to the total leakage, including that due to the MSIVs, is within the limits of 10 CFR Part 100 and GDC-19. The licensee's analysis has demonstrated that an adequate margin can be maintained even if leakage from the MSIVs is considered separately and subject to a leakage restriction of 100 scfh per MSIV, not to exceed a total of 250 scfh for all four main steam lines.

### IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, an exemption is authorized by law and will not present an undue risk to the public health and safety, and that there are special circumstances present, as specified in 10 CFR 50.12(a)(2). An exemption is hereby granted from the requirements of Sections III.A.5(b)(1), III.A.5(b)(2), III.B.3, III.C.2(a), and III.C.3 of Appendix J to 10 CFR Part 50. The exemption allows (1) leakage testing of the MSIVs, after deletion of the LCS, using a test pressure of 28.8 psig applied between MSIVs, and (2) exclusion of the measured MSIV leakage rate from the combined local leak rate test results.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the quality of the human environment (60 FR 54709).

This exemption is effective upon issuance and will be implemented prior to startup of Cycle 13 for Hatch, Unit 2.

For the Nuclear Regulatory Commission

Dated at Rockville, Maryland this 1st day of November 1995.

Steven A. Varga,

*Director, Division of Reactor Projects—I/II  
Office of Nuclear Reactor Regulation.*

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[Docket Number 40-0299]

### UMETCO Minerals Corporation

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Receipt of Application from Umetco Minerals Corporation to change a site-reclamation milestone in Condition 59 of Source Material License SUA-648 for the Gas Hills, Wyoming Uranium Mill site Notice of Opportunity for a Hearing.

**SUMMARY:** Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has received, by letter dated October 11, 1995, an application from Umetco Minerals Corporation (Umetco) to amend License Condition (LC) 59 A.(3) of Source Material License No. SUA-648 for the Gas Hills Wyoming uranium mill site. The license amendment application proposes to modify LC 59 A.(3) to change the completion date for a site-reclamation milestone. The new date proposed by Umetco would extend completion of placement of final radon barrier on the Heap Leach Impoundment by two years.

**FOR FURTHER INFORMATION CONTACT:** Mohammad W. Haque, High-Level Waste and Uranium Recovery Projects Branch, Division of Waste Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone (301) 415-6640.

**SUPPLEMENTARY INFORMATION:** The portion of LC 59 A.(3) with the proposed change would read as follows:

A. (3) Placement of final radon barrier designed and constructed to limit radon emissions to an average flux of no more than 20 pCi/m<sup>2</sup>/s above background:

For the Heap Leach Impoundment—December 31, 1997.

Umetco's application to amend LC 59 A.(3) of Source Material License SUA-648, which describes the proposed change to the license condition and the

reason for the request is being made available for public inspection at the NRC's Public Document Room at 2120 L Street, NW (Lower Level), Washington, DC 20555.

The NRC hereby provides notice of an opportunity for a hearing on the license amendment under the provisions of 10 CFR Part 2, Subpart L, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings." Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing. In accordance with § 2.1205(c), a request for hearing must be filed within 30 days of the publication of this notice in the Federal Register. The request for a hearing must be filed with the Office of the Secretary, either:

(1) By delivery to the Docketing and Service Branch of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

(2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch.

In accordance with 10 CFR 2.1205(e), each request for a hearing must also be served, by delivering it personally or by mail, to:

(1) The applicant, Umetco Minerals Corporation, P.O. Box 1029, Grand Junction, Colorado 81502, Attention: Pat Lyons; and

(2) The NRC staff, by delivery to the Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852 or by mail addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

(1) The interest of the requestor in the proceeding;

(2) How that interest may be affected by the results of the proceeding, including the reasons why the requestor

should be permitted a hearing, with particular reference to the factors set out in § 2.1205(g);

(3) The requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and

(4) The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(c).

The request must also set forth the specific aspect or aspects of the subject matter of the proceeding as to which petitioner wishes a hearing.

Dated at Rockville, Maryland, this 30th day of October 1995.

Joseph J. Holonich,

*Chief, High-Level Waste and Uranium Recovery Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

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## OFFICE OF PERSONNEL MANAGEMENT

### Federal Prevailing Rate Advisory Committee; Cancellation of Open Committee Meeting

According to the provisions of section 10 of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that the meeting of the Federal Prevailing Rate Advisory Committee scheduled for Thursday, November 16, 1995, has been canceled.

Information on other meetings can be obtained by contacting the Committee's Secretary, Office of Personnel Management, Federal Prevailing Rate Advisory Committee, Room 5559, 1900 E Street, NW., Washington, DC 20415 (202) 606-1500.

Dated: October 30, 1995.

Anthony F. Ingrassia,

*Chairman, Federal Prevailing Rate Advisory Committee.*

[FR Doc. 95-27396 Filed 11-3-95; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-36434; File Nos. SR-Amex-95-41; SR-CBOE-95-32; SR-NYSE-95-30; SR-PHLX-95-65; and SR-PSE-95-21]

### Self-Regulatory Organizations; Order Approving Proposed Rule Change and Notice of Filing and Order Granting Accelerated Approval of Amendment No. 1 to the Proposed Rule Change by the Chicago Board Options Exchange, Inc., and Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Changes by the American Stock Exchange, Inc., the New York Stock Exchange, Inc., the Philadelphia Stock Exchange, Inc., and the Pacific Stock Exchange, Inc. and Amendment No. 1 to the Pacific Stock Exchange's Proposal, Relating to the Listing and Maintenance Criteria for Options on American Depository Receipts

October 30, 1995.

#### I. Introduction

On July 12, 1995, the Chicago Board Options Exchange, Inc. ("CBOE") filed with the Securities and Exchange Commission ("SEC" or "Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposal to amend Interpretation and Policy .03 to CBOE Rule 5.3, "Criteria for Underlying Securities," and Interpretation and Policy .09 to CBOE Rule 5.4, "Withdrawal of Approval of Underlying Securities," to revise the listing and maintenance criteria for options on American Depository Receipts ("ADRs").

Notice of the proposed rule change appeared in the Federal Register on August 8, 1995.<sup>3</sup> No comments were received on the proposed rule change.

<sup>1</sup> 15 U.S.C. § 78s(b)(1) (1988).

<sup>2</sup> 17 CFR 240.19b-4 (1994).

<sup>3</sup> See Securities Exchange Act Release No. 36049 (August 2, 1995), 60 FR 40401. The CBOE amended the proposed maintenance criteria to provide that if an ADR was initially deemed appropriate for options trading on the grounds that 50% or more of the worldwide trading volume in the ADR and other related ADRs and securities takes place in U.S. markets or in markets with which the CBOE has an effective surveillance sharing agreement, or if an ADR was initially deemed appropriate for options trading based on the daily trading volume in U.S. markets, as provided in the proposal, then the CBOE may not open for trading additional series of options on that ADR unless the percentage of worldwide trading volume in the ADR and other related securities that takes place in the U.S. and in markets with which the CBOE has in place surveillance sharing agreements for any consecutive three month period is either (1) at least 30% without regard to the average daily trading volume in the ADR, or (2) at least 15% when the average